

Exhibit 2 to CTX Response to Motion to Compel
Page 1 of 6**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

THE LUTHERAN CHURCH—	§	
MISSOURI SYNOD, a Missouri nonprofit	§	
corporation,		
Plaintiff,	§	
	§	
v.	§	Case No. 1:23-cv-1042-RP
	§	
DONALD CHRISTIAN, CHRISTOPHER	§	
BANNWOLF, CONCORDIA	§	
UNIVERSITY TEXAS, INC., & JOHN	§	
DOES 1–12	§	
Defendants.	§	

INTERROGATORIES TO DEFENDANT CONCORDIA UNIVERSITY TEXAS, INC.

Plaintiff, The Lutheran Church—Missouri Synod, a Missouri nonprofit corporation (“LCMS”), serves the following Interrogatories on Defendant Concordia University Texas, Inc., pursuant to Rule 33 of the Federal Rules of Civil Procedure. These interrogatories are to be responded to under oath within 30 days of service.

Respectfully submitted,

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Attorneys for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that on this 12th day of July, 2024, I served a copy of these Interrogatories, via e-mail and/or U.S. Mail to the following counsel of record:

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Clark Richards
Albert A. Carrion, Jr.
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/s/ Steven C. Levatino
STEVEN C. LEVATINO

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DEFINITIONS

For purposes of these requests, the terms used herein shall have the following meanings:

1. “Communication,” “Document,” “Identify” (with respect to persons and documents), “Parties,” “Person” and “Concerning” shall have the same meaning as defined in Local Rule CV-26.
2. “Complaint” means the most recently-amended Complaint filed by LCMS in this lawsuit.
3. “LCMS” means Plaintiff, The Lutheran Church—Missouri Synod, a Missouri nonprofit corporation.
4. “CTX” or “You” means Concordia University Texas, Inc as well as its agents, employees, attorneys, investigators and all other “persons” acting or purporting to act on its behalf with respect to any matter inquired about in these discovery requests.

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Interrogatories

1. Please identify the members of the CTX Board of Regents who voted to approve the May 2, 2022, Amendment to the CTX Charter/Certificate of Formation.
2. Please identify the members of the CTX Board of Regents who voted for CTX to apply for its own 501(c)(3) tax exempt status.
3. Please identify the members of the CTX Board of Regents who voted at the November 8, 2022, special meeting, to approve the "Charter Amendment" attached to the First Amended Complaint as Exhibit L.
4. Please identify the members of the CTX Board of Regents who voted to approve the Amended and Restated Bylaws of Concordia University Texas, Inc., identified as the "Bylaw Amendment" and attached to the First Amended Complaint as Exhibit M.
5. Please identify the members of the CTX Board of Regents who voted at the November 8, 2022, special meeting, against the Amended and Restated Bylaws of Concordia University Texas, Inc., identified as the "Bylaw Amendment" and attached to the First Amended Complaint as Exhibit M.
6. Please identify the members of the CTX Board of Regents who voted at the November 8, 2022, special meeting, to approve a new board policy manual, identified as "Policy Manual Amendment" attached to the First Amended Complaint as Exhibit N.
7. Please identify the members of the CTX Board of Regents who voted at the November 8, 2022, special meeting, against a new board policy manual, identified as "Policy Manual Amendment" attached to the First Amended Complaint as Exhibit N.
8. Please list the "many reasons" that led the CTX Board of Regents to take action to remove from its governing documents any language by which it would be subject to The LCMS Handbook and Bylaws as referenced in Dr. Don Christian's email, dated November 9, 2022 (CTX 000247).
9. Please detail what actions of The LCMS have resulted in the alleged "tightening of control and restriction of mission that has been occurring over time," as referenced in Dr. Don Christian's email, dated November 9, 2022 (CTX 000247).
10. Please identify the intended individual recipients of Dr. Don Christian's email, dated November 9, 2022 (CTX 000247).
11. Please identify any intended individual recipients of Dr. Don Christian's email, dated November 9, 2022 (CTX 000247) who responded to Dr. Christian's email.

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12. Please identify the members of the CTX Board of Regents who voted at the April 4, 2023, special meeting, to reaffirm or approve the governance actions to amend CTX's charter, bylaws and policy manual at the CTX board meeting on November 8, 2022.

13. Please identify the members of the CTX Board of Regents who voted at the April 4, 2023, special meeting, in approval to reaffirm or approve the governance actions to amend CTX's charter, bylaws and policy manual at the CTX board meeting on November 8, 2022.

14. Please identify the members of the CTX Board of Regents who voted at the April 4, 2023, special meeting, against the CTX's Board of Regents resolution reaffirming or approving the governance actions to amend CTX's charter, bylaws and policy manual at the CTX board meeting on November 8, 2022.

15. Please explain the purpose of the "CTX Amendments," as that term is defined in the First Amended Complaint (the Charter Amendment, the Bylaw Amendment and the Policy Manual Amendment collectively).

16. Please explain why you passed the CTX Amendments.

17. Please explain whether you agree that Resolution 7-03 (Exhibit Q to the Amended Complaint) is binding upon CTX. If you do not agree, please explain why.

18. Please explain whether you agree that the March 30, 2023, Commission on Constitutional Matters opinion is binding upon CTX. If you do not agree, please explain why.

19. Please explain whether you agree that The LCMS Constitution and Bylaws required CTX to submit for approval from The LCMS Commission on Constitutional Matters the CTX Amendments prior to being enacted by the CTX Board of Regents. If you do not agree, please explain why.

20. Please explain whether the actions of CTX in amending its governing documents required consent of Synod Board of Directors and Concordia University System, as set forth in the Synod 2019 Handbook Bylaw 3.6.6.4[i].

21. Please explain whether the actions of CTX in amending its governing documents required consent of Synod Board of Directors and Concordia University System, as set forth in the Synod 2019 Handbook Bylaw 3.6.6.4[i].

22. Please explain whether CTX's and its President's actions in the election/appointment of regents were consistent with the duties set forth in Synod 2019 Handbook Bylaws section 3.10.6 and subsection 3.10.6.6. If not, on what basis were these duties set aside.

23. Please explain whether CTX Board of Regents actions were consistent with Synod 2019 Handbook Bylaws 1.5.1.3 and 1.5.2(b). If not, on what basis were these duties set aside.

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24. Please identify any real estate broker/agent engaged by CTX within the last 10 years.